



United States Attorney
Southern District of New York

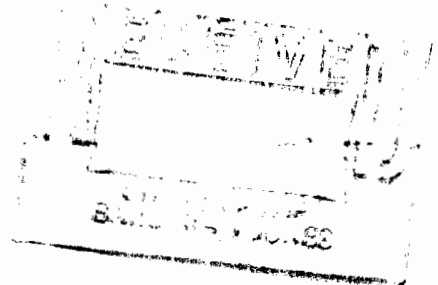
86 Chambers Street
New York, New York 10007

May 1, 2008

BY HAND

Honorable Barbara S. Jones
United States District Judge
United States Courthouse
500 Pearl Street, Room 620
New York, New York 10007-1312

Re: Veronica L. Holder v. Astrue
08 Civ. 2906 (BSJ)

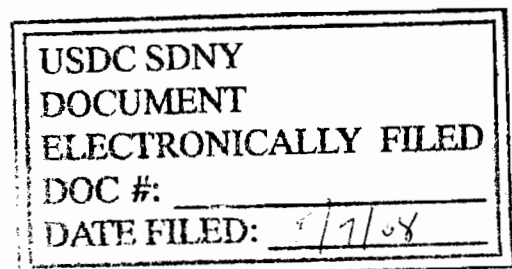


Dear Judge Jones:

This Office represents the Commissioner of Social Security, defendant in this action. I write respectfully to advise the court of recent events and to request a nunc pro tunc extension of defendant's time to file a motion.

Pursuant to the Court's Order of March 20, 2008, defendant's motion was due April 21, 2008. This case was recently assigned to me, but prior to this reassignment the Commissioner offered plaintiff a remand. I mistakenly believed a stipulation for remand had been sent to plaintiff, but due to an administrative error, this had not occurred. A stipulation for remand was sent to plaintiff by overnight delivery on Wednesday, April 30, 2008. In order to permit plaintiff time to consider the stipulation, I respectfully request a thirty-day extension of time in which to either file the stipulation of remand or, in the event plaintiff does not agree to the stipulation, file defendant's motion, to May 21, 2008.

I apologize for my error and any inconvenience it may have caused to the Court. This is the Government's third request for an extension. I left a voicemail message yesterday in an attempt to obtain plaintiff's consent to this request, but my call has not yet been returned.



Thank you for your consideration of this matter.

Respectfully,

MICHAEL J. GARCIA
United States Attorney

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cc: Gary J. Gogerty, Esq.
By Fax

Application Granted.

SO ORDERED
Dated:

Barbara S. Jones
BARBARA S. JONES
U.S.D.J.

5/7/08